

EXHIBIT 250



WTO: 2009 NEWS ITEMS

SANITARY AND PHYTOSANITARY MEASURES

25 JUNE 2009

Members discuss trade responses to H1N1 flu

Exporting countries complained on 23 June 2009 about some of the trade restrictions that have been imposed in response to the H1N1 influenza pandemic, and about failures to notify the WTO, but some others said they had to act to deal with an emergency. The discussion was one of many trade concerns raised in the 23–24 June meeting of the WTO's Sanitary and Phytosanitary Measures (SPS) Committee, which deals with food safety and animal and plant health.

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The committee also edged towards agreement on temporary guidelines for making use of the chairperson as a mediator in order to avoid formal legal disputes — strengthening the committee's role in settling differences between members in specific trade issues. And it continued its work on private standards.

SOME DETAIL

H1N1 and other specific concerns

One of the SPS Committee's most important functions is to provide an opportunity for members to raise concerns they have about each others' SPS measures. This is the SPS Committee's bread-and-butter work in overseeing the SPS Agreement's implementation. Code numbers, eg, "no. 278", identify particular issues and can be used to search the WTO's SPS Information Management System (<http://spsims.wto.org/>).

Several issues discussed were old ones, raised in previous meetings. The full list of issues on the agenda is under "P.S." below

H1N1 influenza — trade restrictions: Canada, Mexico, Japan, the US, New Zealand, the EU,

NOTE:
THIS NEWS ITEM IS
DESIGNED TO HELP
THE PUBLIC
UNDERSTAND
DEVELOPMENTS IN
THE WTO. WHILE
EVERY EFFORT HAS
BEEN MADE TO
ENSURE THE
CONTENTS ARE
ACCURATE, IT DOES
NOT PREJUDICE
MEMBER
GOVERNMENTS'
POSITIONS. THE
OFFICIAL RECORD IS IN
THE MEETING'S
MINUTES

SEE ALSO:

- **More on sanitary and phytosanitary measures**

Brazil, Paraguay, Australia and the Dominican Republic were the countries arguing that import bans on live pigs and pork products are unjustified for dealing with H1N1 influenza. They praised countries that had based their responses on science and criticized countries that had imposed trade restrictions arguing that the restrictions have no scientific justification.

Some of them referred to a statement

(http://www.who.int/mediacentre/news/statements/2009/h1n1_20090430/en/index.html) from the Food and Agriculture Organization (FAO), World Organization for Animal Health (OIE), World Health Organization (WHO) on 7 May 2009, which says "influenza viruses are not known to be transmissible to people through eating processed pork or other food products derived from pigs".

Some also referred to a statement

(http://www.wto.org/english/news_e/news09_e/jt_stat_02may09_e.htm) by the three organizations plus the WTO on 2 May, which says "there is currently ... no justification in the OIE Terrestrial Animal Health Standards Code for the imposition of trade measures on the importation of pigs or their products."

Some observed that a number of countries with import restrictions have cases of the flu in humans inside their territories (but no restrictions on domestic trade). The US said not a single case of the current outbreak of H1N1 flu "has even been tentatively linked" to eating pork or handling pigs. Several, including Mexico — which described its actions in detail — also said that their swine herds have not caught the disease despite its presence in humans.

Canada said the disease's popular description as "swine flu" is misleading because the pandemic is among humans and not pigs.

Some of the countries with restrictions (Ukraine, Indonesia, China, Jordan) said the measures were temporary and had been lifted or would be lifted when scientific evidence had been examined. China said it had to act urgently because of its large vulnerable population, the burden on its public health system, the importance of pigs and pork, and the fact that the H1N1 virus shares some genetic make-up with influenza that affects pigs.

H1N1 influenza — informing fellow-members: Several of the exporting delegations also complained that many of the countries imposing restrictions have not informed fellow-members through the WTO. Mexico said 20 countries, including 14 WTO members have restricted its exports and seven still have measures in place: Armenia, Bahrain, China, Gabon, Indonesia, Jordan and Surinam.

(The SPS Agreement requires members to notify the measures they introduce. See Annex B (.../docs_e/legal_e/15sp...02_e.htm#annb). So far five countries have formally notified the WTO: Albania, China, Ecuador, Jordan and Ukraine.)

Other specific trade concerns: A number of the other concerns raised have been discussed before, including restrictions arising from mad cow disease (bovine spongiform encephalopathy or BSE, no. 193) and bird flu (avian influenza). On the bird flu, the EU and US continued to complain that India's restrictions on pigs and pigmeat are unjustified scientifically, although India has modified its measures; India continued to say it has scientific evidence of the risk (no. 185).

A number of Asian countries (China, Japan, Rep.Korea, Indonesia) continued to object to a draft

(https://www.wto.org/english/tratop_e/sps_e/sps_e.htm)

> **Minutes of this meeting**

ing (issued as a restricted document and subsequently derestricted following the procedures for the circulation and derestriction of WTO documents (<http://docsonline.wto.org/imrd/directdoc.asp> ?

DDFDocuments/t/WT/L/452.doc).

> **Minutes of previous meetings**

FIND OUT MORE about SPS's "three sisters" — the international standards-setting bodies:

> [Codex Alimentarius](https://www.wto.org/english/thewto_e/coher_e/wto_coden_e.htm) (https://www.wto.org/english/thewto_e/coher_e/wto_coden_e.htm)

> [World Organization for Animal Health](https://www.wto.org/english/thewto_e/coher_e/wto_oie_e.htm) (https://www.wto.org/english/thewto_e/coher_e/wto_oie_e.htm)

> [International Plant Protection Convention](https://www.wto.org/english/thewto_e/coher_e/wto_ippc_e.htm) (https://www.wto.org/english/thewto_e/coher_e/wto_ippc_e.htm)